

Message Text

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INFO OCT-01 EA-10 ISO-00 OES-05 SMI-01 COA-01 OIC-02 IO-10

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DRAFTED BY: INTERIOR/FWS:ROSKOOG:LBL

APPROVED BY: OES/OFA:HENRY L. HEYMANN

INTERIOR/FWS:RPARSON

INTERIOR/FWS:RJSMITH

INTERIOR/FWS:KMSCHREINER

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FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

UNCLAS STATE 275168

E.O. 11652: N/A

TAGS: SENV, TGEN, AS, US

SUBJECT: FINAL RULEMAKING ON ENDNAGERED STATUS OF THE KANGAROO

1. FINAL DECISION HAS BEEN MADE REGARDING EARLIER PROPOSED
RULEMAKING (FEDERAL REGISTER, 39 F.R. 11903-11904, 1 APRIL 1974)
ON ADDING THE THREE LARGE KANGAROO TO THE USA LIST OF ENDANGERED
FAUNA. FINAL RULEMAKING WILL APPEAR OFFICIALLY IN FEDERAL REGISTER
SOON.

2. SECRETARY OF THE INTERIOR HAS DETERMINED THE RED (MEGALEIA
RUFA), EASTERN GRAY (MACROPUS GIGANTEUS), AND WESTERN GRAY (MACROPUS
FULIGINOSUS) KANGAROO TO BE "THREATENED" SPECIES, PURSUANT TO THE
AUTHORITY CONTAINED IN THE ENDANGERED SPECIES ACT OF 1973 (87
STAT. 884).

3. PROHIBITIONS PROMULGATED BY THIS RULEMAKING WITH RESPECT
TO THESE THREE SPECIES OF KANGAROO ARE AS FOLLOWS:

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(A) EXCEPT AS PERMITTED BY THE DIRECTOR PURSUANT TO ITEM (D),

IT SHALL BE UNLAWFUL TO IMPORT FOR COMMERCIAL PURPOSES ANY SUCH WILDLIFE.

(B) IT SHALL BE UNLAWFUL, IN THE COURSE OF A COMMERCIAL ACTIVITY, TO DELIVER, RECEIVE, CARRY, TRANSPORT, OR SHIP IN INTERSTATE OR FOREIGN COMMERCE ANY SUCH WILDLIFE IMPORTED UNLAWFULLY.

(C) IT SHALL BE UNLAWFUL TO SELL OR OFFER FOR SALE IN INTERSTATE OR FOREIGN COMMERCE ANY SUCH WILDLIFE IMPORTED UNLAWFULLY.

(D) UPON RECEIVING FROM THE AUSTRALIAN GOVERNMENT A CERTIFICATE THAT (1) A PARTICULAR AUSTRALIAN STATE HAS DEVELOPED AN EFFECTIVE SUSTAINED-YIELD PROGRAM FOR SUCH WILDLIFE, AND (2) THE TAKING OF SUCH WILDLIFE IN THAT STATE WILL NOT BE DETRIMENTAL TO THE SURVIVAL OF THE SPECIES OR SUBSPECIES OF WHICH SUCH WILDLIFE IS A PART, THE DIRECTOR SHALL PERMIT, BY PUBLICATION OF A NOTICE IN THE FEDERAL REGISTER, THE COMMERCIAL IMPORTATION OF ANY SUCH WILDLIFE ORIGINATING FROM THAT STATE, UPON PROOF THAT SUCH WILDLIFE IS LAWFULLY TAKEN AND EXPORTED FROM THAT STATE: PROVIDED, THAT IF THE DIRECTOR DETERMINES FROM ALL THE EVIDENCE THAT A PREVIOUSLY CERTIFIED AUSTRALIAN STATE NO LONGER MAINTAINS AN EFFECTIVE SUSTAINED-YIELD PROGRAM FOR SUCH WILDLIFE, HE MAY BY REGULATION PROHIBIT ANY FURTHER COMMERCIAL IMPORTATION OF SUCH WILDLIFE FROM THAT STATE.

4. COPY OF COMPLETE TEXT OF RULEMAKING FOLLOWS BY POUCH MAIL.
KISSINGER

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